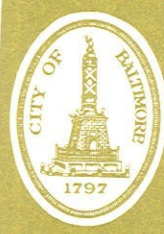


FROM	NAME & TITLE	Alfred H. Foxx, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 10-0593		

TO

DATE: January 12, 2011

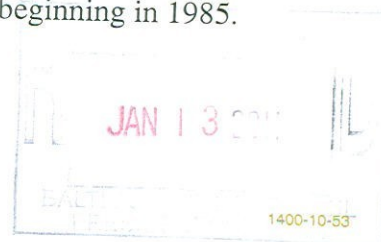
The Honorable President and Members
of the Baltimore City Council
c/o Karen Randle
Room 400 - City Hall

I am herein reporting on City Council Bill 10-0593 introduced by the Council President on behalf of the Administration (Department of Housing and Community Development).

The purpose of the Bill is to adopt a revised Building, Fire, and Related Codes Article, comprising the Maryland Building Performance Standards (effective January 1, 2010), the International Building Code (2009 Edition), the National Electrical Code (2008 Edition), the National Fuel Gas Code (2009 Edition), the International Mechanical Code (2009 Edition), the National Standard Plumbing Code (2009 Edition), the International Property Maintenance Code (2009 Edition), the International Fire Code (2009 Edition), the International Energy Conservation Code (2009 Edition), and the International Residential Code for One- and Two-Family Dwellings (2009 Edition), all as supplemented, amended, or otherwise modified by this Ordinance; provide for the effect, construction, and effective date of these new standards and codes; conform, correct, and clarify certain language; and generally relating to the adoption of new building, fire, property maintenance, electrical, plumbing, mechanical, and related codes for Baltimore City.

Periodically, the City reviews its building, property maintenance, mechanical, plumbing, and related codes and adopts revisions through an ordinance process. Revisions are necessary to keep these codes current and viable, by incorporating new standards, new materials, or new methods for compliance for the health and safety of our citizens. Such changes may be the result of Baltimore's own experiences in administering the codes, or the result of changes proposed by national and international building officials and code administrators. The last revisions to these codes were adopted through Ordinance 07-552.

Initially, the model for these codes had been the National Building Code issued by the Building Officials and Code Administrators International, Inc., or BOCA. Prior to 1993, there was no standard building code for the State of Maryland. Enactment of the Maryland Building Performance Standards Act of 1993 required the State to adopt the BOCA codes and to adopt the most recent editions of the codes within 24 months of their issue date. Jurisdictions were also required to use the BOCA as a model for its codes beginning in 1985.



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In 2000, the Maryland Building Performance Standards Act was amended by the General Assembly to recognize the replacement of the BOCA National Building Code with the International Building Code, and it is this code that the State of Maryland now requires jurisdictions to adopt. City Council Bill 10-0593, if approved, will adopt the latest revisions to the International Building Codes for Baltimore's Building, Fire, and Related Codes.

In reviewing the legislation, this Department is pleased that many sections of these codes provide protection for the City's vital sanitation, water, sewer and storm drain system needs. The following list provides some excellent examples:

- Page 20, Section 109.2 holds a permit applicant for construction, alteration, demolition, moving or other building operation responsible for payment of all fees prescribed by law, including fees beyond the scope of their permit with DHCD;
- Page 36, Section 114.11.1 provides for the revocation of a permit if the applicant has violated any code, permit, rule or regulation of the City;
- Page 38, Section 114.21.2 defines secondary liability, a crucial tool in holding the owner of a property responsible for the sanitary condition of their property if tenants are non-responsive;
- Page 93, Section 3313 requires a demolition permit applicant to provide certification from a State licensed pesticide applicator that all areas of the structure are free from rodent infestation;
- Page 144, Section 301.4 requires lead-based paint abatement to be governed by Public Works requirements for discharges to the stormwater system;
- Page 149, Section 306 specifies how the exterior maintenance for trash, garbage and debris must be handled, crucial to the control of trash and rats in Baltimore;
- Page 184 Section 313.3 references the regulations of Public Works governing the required minimum sizes for water lines and meters for buildings with automated fire sprinklers; and
- Page 186 Section 1413.2 requires backflow prevention protections to preserve the integrity of the potable water system.

Over the course of the next year the Department of Public Works will be reviewing all codes as part of its stormwater management responsibilities to ensure that Environmental Site Design and other green practices to capture and infiltrate runoff within a property may be allowed. Proposed changes will be coordinated with appropriate agencies and will be presented to the Council for approval in the form of an ordinance.

Based on these findings, the Department of Public Works supports passage of City Council Bill 10-0593.


Alfred H. Foxx
Director

AHF/MMC:pat